

**NOT APPROVED**

**ORDINANCE NO. 08-**

**AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF LAKE HAVASU CITY, MOHAVE COUNTY, ARIZONA AMENDING CHAPTER 7.12 WATER CONSERVATION MEASURES OF THE LAKE HAVASU CITY CODE TO INCLUDE SECTIONS 7.12.020 IRRIGATION REQUIREMENTS AND 7.12.030 EMERGENCY AND WATER SHORAGE EVENTS**

WHEREAS, Lake Havasu City receives a specific annual allotment of Colorado River water for beneficial consumption pursuant to the City's contract with the United States;

WHEREAS, Lake Havasu City is responsible for the treatment, distribution, and delivery of potable Colorado River water to resident and non-resident interests within the City's expanded water service area;

WHEREAS, alternative water sources are extremely limited to Lake Havasu City and the City's limited Colorado River water allotment may be diminished due to federally declared water delivery reductions (Shortages);

WHEREAS, significant disruptions in the delivery of Colorado River water are also possible due to unforeseen emergencies; and

WHEREAS, water conservation is a documented strategy for lowering consumption, which provides an impetus to immediately implement a water conservation action, the following contingency plan for water consumption has been developed.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of Lake Havasu City that Chapter 7.12 of the Lake Havasu City Code be amended to include Sections 7.12.020 and 7.12.030 as follows:

**§ 7.12.020 IRRIGATION REQUIREMENTS**

A. All residential and non-residential landscape watering within the corporate limits and water service area of Lake Havasu City must abide by (comply with) the following watering schedule:

1. During warm weather months – May through September – landscape watering is limited to three days per week. Properties with an even address can only water on Sundays, Wednesdays, and Fridays. Properties with an odd address can only water on Tuesdays, Thursdays, and Saturdays. No landscape watering is allowed on Mondays.
2. During shoulder season months - March, April, October, and November – landscape watering is limited to two times per week. Properties with an even

address can only water on Wednesdays and Sundays. Properties with odd addresses can only water on Tuesdays and Saturdays.

3. During cool weather months - December through February- landscape watering is limited to one time per week. Properties with an even address can only water on Sundays. Properties with an odd address can only water on Saturdays. Voluntary reductions to once per month are encouraged during these months.

B. All residential and non-residential landscape watering within the corporate limits and water service area of Lake Havasu City will follow the duration and time of day watering schedule as follows:

1. If utilizing a bubbler watering system, **watering times are limited to one** application per zone between the hours of 7:00 P.M. and 8:00 A.M from the first of May to the end of October and 5:00 P.M. and 8:00 A.M. from the first of November to the end of April as authorized by § 7.12.020(A) with duration recommended not to exceed twenty (20) minutes per zone.
2. If utilizing a drip watering system, watering times are limited to one application per zone between the hours of 7:00 P.M. and 8:00 A.M from the first of May to the end of October and 5:00 P.M. and 8:00 A.M. from the first of November to the end of April as authorized by § 7.12.020(A) with duration recommended not to exceed four (4) hours per zone.

C. Sections 7.12.020(A) and (B) do not apply to users of effluent water and to the turf areas managed by Lake Havasu City.

D. Lake Havasu City Parks and Recreation Department will develop and follow a modified turf irrigation schedule and maintenance plan that reduces water consumption.

E. Landscape watering runoff from one property onto another or into the public right-of-way is prohibited.

F. All water service shall be pressure regulated to a maximum operating pressure of 65psi (pounds per square inch) prior to any first point of use. As identified in sections 3-09 and 3-14 of the Lake Havasu Irrigation and Drainage District's Regulations Governing Domestic Water Service (Ord. #01-659), the District's responsibility ends at the water user's side of the water meter and the District is held harmless from any damages caused by low or high pressure, fluctuation of pressure or interruption of service.

#### § 7.12.030 EMERGENCY AND WATER SHORTAGE EVENTS

A. In the event of a water shortage, a target annual water consumption volume will be assessed prior to the start of a water year. This volume will be used to determine monthly

targeted deliveries throughout the water year. If this volume is less than scheduled demand for the water year, restrictions as set forth in § 7.12.030(D) will automatically go into effect.

B. Water delivery emergencies will be handled on a case by case basis and some or all of the water restrictions as set forth in § 7.12.030(D) may be initiated by the City as necessary.

C. If the contracted annual Shortage allocation is endangered of being exceeded and the threat of an overrun exists, all outside irrigation will be further restricted by the City Manager or designee and may include the total discontinuance of irrigation.

D. Water Use Restrictions:

1. If utilizing a bubbler watering system, watering times are limited to one application per zone between the hours of 9:00 P.M. and 8:00 A.M not to exceed twenty minutes in duration per zone per day on the days authorized by § 7.12.020(A).
2. If utilizing a drip watering system, watering times are limited to one application between the hours of 9:00 P.M. and 8:00 A.M. not to exceed four (4) hours in duration per zone per day on the days authorized by § 7.12.020(A).
3. Every construction project within the City's water service area utilizing water for dust control, ground preparation, and/or ground/foundation pad compaction must implement a project water conservation plan, as approved by the Public Works Department, that includes the estimated reduction in water consumed compared to normal operating conditions.
4. The South Intake gate, which supplies raw water for blending with effluent, may be shut down for as long as necessary.
5. Restaurants must adopt a policy of not serving water to patrons unless specifically requested by a patron.
6. Outside water features including waterfalls, ponds, and fountains must be turned off.
7. Swimming pool draining is prohibited.
8. Washing driveways and sidewalks as well as washing vehicles/boats outside of a car wash is prohibited.

9. A call line will be set up for reporting water theft or illegal use. Residents are encouraged to install hose bib locks on outside faucets when the residence is unoccupied.
10. Controllable leaks in irrigation systems and water lines (including faucet heads) from the meter to the residence must be repaired **within one week** of discovery.
11. The use of outdoor misting systems at both residences and commercial/retail establishments is prohibited.
12. The use of outdoor recreation based water consumption, defined as sprinklers, hoses, and manufactured recreation water toys, is prohibited.
13. The restrictions described in this Section may be implemented on a progressive scale as necessary.

#### E. Enforcement

1. Violations of § 7.12.020 Irrigation Requirements will be cumulative with a first violation resulting in a written warning, a second violation resulting in a fine in the amount of \$\_\_\_\_, and a third and subsequent violations resulting in a fine in the amount of \$\_\_\_\_.
2. Violations of § 7.12.020 Irrigation Requirements during an emergency or water shortage event will be cumulative within that event with a first violation resulting in a written warning, a second violation resulting in a fine in the amount of \$\_\_\_\_, and a third violation resulting in the termination of water service.
3. Public Works Water Division personnel are hereby given the authority to immediately shut off water meters to properties where a water leak is discovered. If an owner cannot make necessary water leak repairs immediately, but is able to shut water off to the leaking irrigation system, then the meter may be left on.
4. Violation of § 7.12.030(D)(7) will result in a fine in the amount of \$\_\_\_\_ for each violation.
5. Violation of water use restrictions § 7.12.030(D) (1) and (2) will result in a written warning for the first violation, a fine in the amount of \$\_\_\_\_ for a second violation, and a third violation and subsequent violations resulting in the termination of water service.
6. Violation of water use restrictions § 7.12.030(D) (3), (5), (6), (8), (10), (11), and (12) will result in a warning for the first violation, a fine in the amount of

\$\_\_\_\_ for a second violation, and a fine in the amount of \$\_\_\_\_ for a third and subsequent violations.

7. During emergency and water shortage events, the minimum fine imposed for convictions of water theft (theft of services) pursuant to A.R.S. 13-1802 shall be \$2,500.
8. In addition to the above penalties, the City may file an action for civil abatement and, at the discretion of the court, be entitled to reimbursement for all necessary costs incurred through investigation, discovery, analysis, inspection, abatement and other actual costs incurred by the city or its agents pertaining to the violation.
9. The court shall fix the amount of any such reimbursements upon submission of proof of such costs by the City. Payment of any penalty provided in this section shall not relieve a person, firm or corporation, or other entity from the responsibility of correcting the condition resulting from the violation.
10. In addition to the above, the City Manager or designee is authorized to enact additional penalties and restrictive measures including but not limited to the placement of a flow restricting device upon the water service, locking off of a water meter, removal of a water meter, and/or shutting off of a mainline.

**PASSED AND ADOPTED** by the Mayor and City Council of Lake Havasu City, Arizona, this \_\_\_\_ day of \_\_\_\_\_, 2008.

ATTEST:

\_\_\_\_\_  
CARLA SIMENDICH  
CITY CLERK

\_\_\_\_\_  
MARK S. NEXSEN  
MAYOR

APPROVED AS TO FORM:

REVIEWED:

\_\_\_\_\_  
PAUL LENKOWSKY  
CITY ATTORNEY

\_\_\_\_\_  
RICHARD KAFFENBERGER  
CITY MANAGER

DRAFT